



## **United States Mission to the OSCE**

### **Statement on Freedom of Thought, Conscience, Religion or Belief**

As prepared for delivery by Joseph Grieboski,  
President, Institute on Religion and Public Policy,  
to the OSCE Human Dimension Implementation Meeting  
Warsaw, September 28, 2005

Freedom of thought, conscience, religion or belief was one of the founding principles of the CSCE, enshrined in the Helsinki Decalogue. Yet 30 years after Helsinki, implementation of this principle remains problematic in many participating States.

Uzbekistan prohibits unregistered religious activity, jailing thousands of peaceful Muslims because of presumed religious extremism often based solely on their appearance and traditional observance of their faith. No one knows how many of the thousands imprisoned for being members of illegal extremist organizations are actually members of such political groups. The Government of Uzbekistan has a restrictive law on religion that not only criminalizes unregistered worship, but prohibits individuals from sharing their beliefs with others, despite privileges guaranteed under international norms. This failure to respect religious freedom can fuel the very extremism that gives rise to terrorism. By limiting intra-religious dialogue and the choices available to believers, authorities inadvertently create a situation in which the only religious outlets available are extremist. Moreover, as we noted in our statement on the rule of law, the massacre at Andijon was precipitated, in part, by the authorities' overzealous prosecution of members of an Islamic group. We again urge Uzbekistan to reform its criminal code and Law on Religion and, in keeping with international norms, to register groups that apply, allow for the unhindered practice of religion by members of all faiths, whether they are registered or not, and refrain from using extremism as a guise to persecute religious adherents.

Turkmenistan also prohibits unregistered religious activity and authorities harass both registered and unregistered communities. Independent Muslim groups and many minority Christian groups have experienced difficulties in obtaining registration and operating freely. The former grand mufti remains jailed. The United States calls upon the Government of Turkmenistan to address these issues in light of its OSCE commitments. The United States urges Turkmenistan to reinstate a law on alternative military service and to release all prisoners of conscience.

The United States is disappointed that President Nazarbaev of Kazakhstan signed into law a series of regressive national security amendments. Despite repeated advisory opinions by the OSCE Mission suggesting modifications, the amendments retain language that increases registration requirements, bans unregistered religious groups and

greatly curtails missionary activity, enhances state control over religious education, and permits suspension of registration of a religious organization, with prohibitions on speaking to the press by members of the organization during any suspension. We urge the repeal of these amendments. Such laws cast serious doubts on the sincerity of Kazakhstan to fulfill its OSCE religious freedom commitments. It is puzzling that the President established the Congress of World and Traditional Religions and wants to hold the OSCE Chair-in-Office in 2009, while simultaneously pursuing a policy that is detrimental to the values of those same institutions. Kyrgyzstan's banning of the Falun Gong and certain Muslim groups is also disappointing. We urge the new government to reform the registration process and make it less arbitrary, and encourage constitutional reforms consistent with OSCE religious freedom commitments. In Tajikistan, the arrest of several hundred members of banned Muslim groups and the banning of the Jehovah's Witnesses, the Union of Evangelical Baptists and the Sonmin Grace Church are matters of ongoing concern. We urge the Tajik authorities to review this policy.

The United States calls upon the Government of Azerbaijan to reopen the Juma mosque, permit its congregants to have the imam of their choice, grant registration to religious groups that apply, and respect the right of Imam Ilgar to travel internationally. Both Georgia and Armenia have taken steps to improve their systems regulating religion, and the Government of Georgia has improved protections for religious minorities experiencing societal harassment. We commend Georgia for holding Basili Mkalavishvili accountable for spearheading violent attacks against religious minorities and we encourage the Government of Georgia to continue to prosecute perpetrators of past violence against minority religious groups. We commend Armenia for finally allowing the registration of the Jehovah's Witnesses. However, we urge the Government of Armenia to provide real legal non-military alternatives to military service for conscientious objectors.

In the Russian Federation, conditions have deteriorated for some minority religions. The restrictive law on freedom of conscience and religion continues to disadvantage many minority religious groups considered "non-traditional." We are concerned about the actions of some local authorities toward unregistered and minority religious communities and efforts by regional authorities to ban or resist registering several religious groups. We encourage federal officials to pay attention and work to end such harassment.

In Belarus, efforts by government officials to limit or end the activities of unregistered religious communities must cease.

Governmental efforts to control religion, especially Islam, are particularly troubling in all five Central Asian countries, Azerbaijan and Moldova. Limitations on expression, such as clothing bans in France, Turkey and Germany, particularly affect Muslims, but also fuel intolerance and discrimination against Sikhs and others. Italy's new law penalizing hiding one's face in public targets Muslim women, subjecting them to jail terms. Muslim believers are negatively affected by Belgium's efforts to forcibly call new elections for its Muslim Council, and proposals to ban certain Muslim groups in the

United Kingdom. We also note that legislation designed to address hate speech may have the unintended consequence of undermining religious freedom.

Turkey is another country that exerts excessive state control over the practice of Islam and other faiths. Turkey must also clarify the legal status of the 55 Protestant churches around the country that have been unable to register and that are therefore vulnerable to closure and harassment. We welcome Turkey's new draft legislation on foundations, but note that the legislation has significant shortcomings – the United States urges Turkey to consult the OSCE Panel of Experts on Freedom of Religion. We regret that Turkey has not allowed the Halki Seminary to reopen, and that authorities continue to inhibit the opening of places of worship outside the Sunni Muslim mainstream, and systematically disregard the OSCE's 1990 Bonn Document by expropriating the properties of religious groups without compensation. If these policies continue, Turkey risks eroding the centuries-old Ecumenical Patriarchate of Istanbul, and possibly the historic Syriac and Armenian Orthodox churches. Recent statements from high-ranking Turkish officials about the supposed “dangers” of Christian missionary activity are also a concern. The United States urges the Government of Turkey to respect the rights of all of its citizens to profess and practice their faith freely.

The United States has also become increasingly concerned by actions of Macedonia authorities that led to the conviction of a Serbian Orthodox bishop under an ambiguously-defined statute against incitement of religious intolerance, after the bishop called the Macedonian Orthodox Church heretical and communist. National authorities in the region should ensure that all religious groups are allowed to register and practice their faith freely. We are troubled by increasing sectarian violence in Serbia and Montenegro and urge authorities to redouble their efforts to combat this violence. We repeat our call for Bulgaria to return the churches of the alternative Orthodox synod it seized last year. We are also concerned by potentially discriminatory draft religion laws under consideration in Serbia and Montenegro, Kosovo, Slovenia, and Albania. We question the need for such a law in Albania, as the current system serves as a model for the region. Croatia and Bosnia and Herzegovina should revise existing laws so that they, too, can be considered such a model.

The Czech Republic, Austria and Slovakia continue to maintain the most burdensome and disproportionate registration systems for religious communities in the OSCE region. We took note of the discussions in Slovakia on this issue last March and encourage other countries to open similar debates. The United States is also deeply concerned by the draft Romanian religion law, which would give Romania the notorious designation of having the most onerous requirements of any of the 55 OSCE participating States.

We urge all participating States to be mindful of OSCE commitments on religious freedom and to ensure that registration systems facilitate, rather than hinder, religious practice through non-discriminatory laws and regulations.